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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Brian Giora

Document No.: CH920000065US1

Serial No.: 09/773,227

Group Art Unit: 2111

Filed: January 31, 2001

For: DATA COMMUNICATIONS INTERFACES

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this Renewed Petition Under 37 C.F.R. 1.1.37(b) (2 Pages); Copy of Drumheller letter dated October 9, 2007 (1 page); Copy of signed Return Receipt dated October 15, 2007 (1 page) and Copy of Petition to Revive with Amendment dated May 24, 2006 (20 pages) are being transmitted to the U.S. Patent and Trademark Office to (571) 273-8300 on November 19, 2007.


Lee Ann DiLello**RENEWED PETITION UNDER 37 C.F.R. 1.1.37(b)**

Sir:

In response to the Dismissal of the Petition under 37 CFR 1.1.37(b) to revive the instant application, and as per the suggestion of the Office of Petitions, applicant submits a copy of a letter to Ronald L. Drumheller requesting him to provide information on why action was not taken to prevent abandonment of the above-identified application. The letter was sent by Certified Mail Return-Receipt Requested. The Receipt, a copy of which is also enclosed, was signed by Ron Drumheller, and no explanation was provided by him in response to the letter.


The Office of Petitions also stated that the required reply was missing from the request of May 24, 2006 to revive the instant application; however, the Certificate of Mailing shows that the Reply to the Office Action preceding the abandonment was

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U.S. Appl. No. 09/773,227

submitted. A copy of the Reply, which includes the Certificate of Mailing, Fee Payments, an amendment, and Formal Drawings (copy), are again enclosed.

Any additional fees may be charged to Account Number 09-0468.

Dated: November 19, 2007



Douglas W. Cameron
Reg. No. 31,596
Telephone: 914-945-3244

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, New York 10598

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*IBM T. J. Watson Research Center
PO Box 218
Rte 134
Yorktown Heights, NY 10598*

October 9, 2007

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OFFICE OF PETITIONS

Ronald L. Drumheller, Esq.
94 Teakettle Spout Road
Mahopac, NY 10541

Via Certified Mail/Return Receipt Requested
Certified Mail No. 7007 0710 0002 0504 9769

Re: Our Docket No.: CH920000065US1
U.S. Appl. No.: 09/773,227

Dear Ronald:

As per the advise of the USPTO Office of Petitions in the enclosed Decision on Petition, mailed September 20, 2007, dismissing a Petition for Revival under 37 CFR 1.137(b), this letter is being sent to request information on the cause of abandonment of Docket No. CH920000065US1, which became abandon on October 26, 2003. See the attached request for information in the next to last paragraph of the Decision on Petition.

Accordingly, by November 8, 2007, could you please send a statement of the events up to October 26, 2003 that lead to the abandonment of the aforementioned subject docket.

Thank you.

Sincerely,

Douglas W. Cameron
Counsel, Intellectual Property Law
914-345-3244

DWC:lad

Enc.

PS Form 3800, August 2005
See Reverse for Instructions

Send to: Ronald L. Drumheller, Esq.
94 Teakettle Spout Rd.
Mahopac, N.Y. 10541
City, State, ZIP+4
or PO Box No.

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SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:
Ronald L. Drumheller, Esq.
94 Teakettle Spout Rd.
Mahopac, N.Y. 10541

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *[Signature]*
B. Received by (Printed Name): *[Signature]*
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☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article (Trans PS Form 3800-02-04-1540)

PLEASE STAMP AND RETURN TO US

Filing: Petition for Revival (PTO/SB/64); Amendment; Copy
of Notice of Abandonment and Submission of Formal
Drawings; (8) Sheets.

Re application of: Biran Giora et al.

For: DATA COMMUNICATIONS INTERFACES

Serial No.: 09/773,227 Filing Date: January 31, 2001

Docket No.: CH920000065US1 Attorney: DWC

All fees are charged to our Account No. 09-0468.

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PTO/SB/64 (10-05)

Approved for use through 07/21/2006. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
CH920000065US1

First named inventor: Giara Biran

Application No.: 09/773,227

Art Unit: 2111

Filed: January 31, 2001

Examiner: Gopal C. Ray

Title: DATA COMMUNICATIONS INTERFACES

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OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

- A.** The reply and/or fee to the above-noted Office action in the form of Amendment (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

- B.** The issue fee and publication fee (if applicable) of \$ _____
- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

NOV 26 2007

OFFICE OF PETITIONS

PTO/SB/64 (10-05)

Approved for use through 07/31/2008, OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Date

Douglas W. Cameron

Typed or printed name

31,596

Registration Number, if applicable

1101 North Kitchawan Road, P.O. Box 218

Address

914-945-3244

Telephone Number

Yorktown Heights, NY 10598

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Submission of Formal Drawings (8) sheets and Rahm Postcard

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date

Signature

Angélique Maldonado

Typed or printed name of person signing certificate

(Page 2 of 2)